

MESSAGE NO:	0204301	MESSAGE DATE:	07/23/2010
MESSAGE STATUS:	Active	CATEGORY:	Antidumping
TYPE:	OTH-Other	PUBLIC	<input checked="" type="checkbox"/>
SUB-TYPE:		NON-PUBLIC	<input type="checkbox"/>
FR CITE:	73 FR 5801	FR CITE DATE:	01/31/2008
REFERENCE MESSAGE # (s):	8234202		
CASE #(s):	A-570-916		
EFFECTIVE DATE:	01/31/2008	COURT CASE #:	
PERIOD OF REVIEW:		TO	
PERIOD COVERED:		TO	

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: CLARIFICATION OF THE ANTIDUMPING DUTY ORDER ON LAMINATED WOVEN SACKS FROM THE PEOPLE'S REPUBLIC OF CHINA

1. ON AUGUST 7, 2008, THE DEPARTMENT OF COMMERCE ("DEPARTMENT") PUBLISHED A NOTICE OF ITS ANTIDUMPING DUTY ORDER ON LAMINATED WOVEN SACKS (LWS) FROM THE PRC. THESE INSTRUCTIONS CLARIFY MESSAGE NO. 8234202, DATED 08/21/2008.

2. THE MERCHANDISE COVERED BY THIS INVESTIGATION IS LWS. LWS ARE BAGS OR SACKS CONSISTING OF ONE OR MORE PLIES OF FABRIC CONSISTING OF WOVEN POLYPROPYLENE STRIP AND/OR WOVEN POLYETHYLENE STRIP, REGARDLESS OF THE WIDTH OF THE STRIP; WITH OR WITHOUT AN EXTRUSION COATING OF POLYPROPYLENE AND/OR POLYETHYLENE ON ONE OR BOTH SIDES OF THE FABRIC; LAMINATED BY ANY METHOD EITHER TO AN EXTERIOR PLY OF PLASTIC FILM SUCH AS BIAXIALLY-ORIENTED POLYPROPYLENE("BOPP") OR TO AN EXTERIOR PLY OF PAPER THAT IS SUITABLE FOR HIGH QUALITY PRINT GRAPHICS (PAPER SUITABLE FOR HIGH QUALITY PRINT GRAPHICS, AS USED HEREIN, MEANS PAPER HAVING AN ISO BRIGHTNESS OF 82 OR HIGHER AND A SHEFFIELD SMOOTHNESS OF 250 OR LESS. COATED FREE SHEET IS AN EXAMPLE OF A PAPER SUITABLE FOR HIGH QUALITY PRINT GRAPHICS); PRINTED WITH THREE COLORS OR MORE IN REGISTER; WITH OR WITHOUT LINING; WHETHER OR NOT CLOSED ON ONE END; WHETHER OR NOT IN ROLL FORM (INCLUDING SHEETS, LAY-FLAT TUBING, AND SLEEVES); WITH OR WITHOUT HANDLES; WITH OR WITHOUT SPECIAL CLOSING FEATURES; NOT EXCEEDING ONE KILOGRAM IN WEIGHT. LWS ARE TYPICALLY USED FOR RETAIL PACKAGING OF CONSUMER GOODS SUCH AS PET FOODS AND BIRD SEED.

EFFECTIVE JULY 1, 2007, LWS ARE CLASSIFIABLE UNDER HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) SUBHEADINGS 6305.33.0050 AND 6305.33.0080. LWS WERE PREVIOUSLY CLASSIFIABLE UNDER HTSUS SUBHEADING 6305.33.0020. IF ENTERED WITH PLASTIC COATING ON BOTH SIDES OF THE FABRIC CONSISTING OF WOVEN POLYPROPYLENE STRIP AND/OR WOVEN POLYETHYLENE STRIP, LWS MAY BE CLASSIFIABLE UNDER HTSUS SUBHEADINGS 3923.21.0080,

3923.21.0095, AND 3923.29.0000. IF ENTERED NOT CLOSED ON ONE END OR IN ROLL FORM (INCLUDING SHEETS, LAY-FLAT TUBING, AND SLEEVES), LWS MAY BE CLASSIFIABLE UNDER OTHER HTSUS SUBHEADINGS INCLUDING 3917.39.0050, 3921.90.1100, 3921.90.1500, AND 5903.90.2500. IF THE POLYPROPYLENE STRIPS AND/OR POLYETHYLENE STRIPS MAKING UP THE FABRIC MEASURE MORE THAN 5 MILLIMETERS IN WIDTH, LWS MAY BE CLASSIFIABLE UNDER OTHER HTSUS SUBHEADINGS INCLUDING 4601.99.0500, 4601.99.9000, AND 4602.90.0000. ALTHOUGH HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-570-916.

4. THIS IS TO CLARIFY THAT COMMERCE CONSIDERS LWS THAT ARE PRODUCED IN THE PRC FROM WOVEN FABRIC, CONSISTING OF WOVEN POLYPROPYLENE STRIP AND/OR WOVEN POLYETHYLENE STRIP, TO BE WITHIN THE SCOPE OF THE ANTIDUMPING AND COUNTERVAILING DUTY ORDERS COVERING LWS FROM THE PRC REGARDLESS OF THE ORIGIN OF THE WOVEN FABRIC.

5. THEREFORE, CUSTOM AND BORDER PROTECTION ("CBP") SHALL CONTINUE TO SUSPEND LIQUIDATION OF ALL LWS FROM THE PRC, REGARDLESS OF THE ORIGIN OF THE WOVEN FABRIC, THAT IS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION, ON OR AFTER JANUARY 31, 2008.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O4:ZP).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party